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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,)
9 Plaintiff,)
10 v.) 2:10-CR-365-JCM (PAL)
11 BRAD FUSSELL,)
12 Defendant.)

13 **PRELIMINARY ORDER OF FORFEITURE**

14 This Court finds that on September 28, 2011, defendant BRAD FUSSELL was found guilty
15 of Count One of a Two-Count Criminal Indictment charging him with Conspiracy to Possess with
16 Intent to Distribute Cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and
17 846. Docket #131.

18 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1), and (2), the United States of
19 America has shown the requisite nexus between property set forth in the Forfeiture Allegations of
20 the Criminal Indictment and the offense to which defendant BRAD FUSSELL pled guilty.

21 The following assets are subject to forfeiture pursuant to Title 21, United States Code,
22 Sections 853(a)(1) and 853(a)(2); Title 21, United States Code, Section 881(a)(11) and Title 28,
23 United States Code, Section 2461(c); Title 18, United States Code, Section 924(d)(1), (2)(C), and
24 (3)(B) and Title 28, United States Code, Section 2461(c):

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- a) \$171,600 in United States currency;
- b) a 2008 Black Chevy Suburban bearing Nevada license plate: YODADY, VIN: 1GNFC16008R143172;
- c) a Glock model 23, .40 caliber semi-automatic handgun bearing serial number KFF109;
- d) a Sig Sauer model P229, .40 caliber semi-automatic handgun bearing serial number AG23046; and
- e) any and all ammunition ("property").

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of BRAD FUSSELL in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

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1 MICHAEL A. HUMPHREYS
2 Assistant United States Attorney
3 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
5 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
6 following publication of notice of seizure and intent to administratively forfeit the above-described
7 property.

8 DATED this 24th day of October, 2011. .

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UNITED STATES DISTRICT JUDGE
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